Definitive Treaty.

THE

ARTICLES

OF THE

DEFINITIVE TREATY

OF

PEACE:

BETWEEN

HIS MAJESTY THE KING OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND, (ON THE ONE PART;)

AND

THE FRENCH REPUBLIC, HIS MAJESTY THE KING OF SPAIN AND THE INDIES, AND THE BATAVIAN REPUBLIC, (ON THE OTHER PART.)

SIGNED

AT AMIENS, MARCH 27, 1802.

BY

CORNWALLIS, BUONAPARTE,
AZARA, SCHIMMELPENNINCK.

A CORRECT COPY, J. BUONAPARTE.

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THE ARTICLES OF THE DEFINITIVE TREATY OF *PEACE.*

HIS Majeſty the King of the United Kingdom of Great Britain and Ireland, and the Firſt Conſul of the French Republic, in the name of the French People, being equally animated with a deſire to put an end to the calamities of war, have laid the foundation of peace, by the Preliminary Articles, which were ſigned in London, the 1ſt of October, 1801, (9th Vendemiaire, an. 10.)

And as, by the 15th Article of the Preliminaries, it has been agreed on, "That Plenipotentiaries ſhould be named on the part of each government, who ſhould repair to Amiens, and there proceed to arrange a Definitive Treaty, in concert with the Allies of the Contracting Powers."

His Majeſty the King of the United Kingdom of Great Britain and Ireland, has named the Marquis Cornwallis, Knight of the Moſt Noble Order of the Garter, one of his Majeſty's Privy-Council, General in his Majeſty's Army, &c. &c.

The Firſt Conſul of the French Republic in the name of the French People, has named as Plenipotentiary the Citizen Joſeph Buonaparte, Counſellor of State.

His Majeſty the King of Spain and the Indies, and the government of the Batavian Republic, have appointed the following Plenipotentiaries, to wit, his Catholic Majeſty has named Don Joſeph Nicolas d'Azara, his Counſellor of State, Grand Croſs of the Order of Charles III. Ambaſſador Extraordinary of his Majeſty to the French Republic, &c. &c.

And the government of the Batavian Republic has named Roger Jean Schimmelpenninck its Ambaſſador Extraordinary to the French Republic, &c.

Which ſaid Plenipotentiaries having duly communicated to each other their reſpective powers, which are tranſcribed at the concluſion of the preſent Treaty, have agreed upon the following Articles:

ARTICLE

Article I.

There ſhall be peace, friendſhip, and good underſtanding, between his Majeſty the King of the United Kingdom of Great Britain and Ireland, his heirs and ſucceſſors, on the one part, and the French Republic, his Majeſty the King of Spain, his heirs and ſucceſſors, and the Batavian Republic, on the other part.

The contracting parties ſhall uſe their utmoſt efforts to preſerve a perfect harmony between their reſpective countries, without permitting any act of hoſtility whatever by ſea or by land, for any cauſe, or under any pretext.

They ſhall carefully avoid every thing which might for the future diſturb the happy union now re-eſtabliſhed between them, and ſhall not give any ſuccour or protection, directly or indirectly, to thoſe who would wiſh to injure any one of them.

Article II.

All the priſoners made on one ſide and the other, as well by land as by ſea, and the hoſtages carried off or delivered up during the war and up to the preſent day, ſhall be reſtored without ranſom, in ſix weeks at the lateſt, to be

be reckoned from the day when the ratifications of the preſent Treaty are exchanged, and on paying the debts which they ſhall have contracted during their captivity. Each of the contracting parties ſhall reſpectively diſcharge the advances which ſhall have been made by any of the contracting parties for the ſupport and maintenance of priſoners in the countries where they have been detained. There ſhall be appointed by mutual conſent for this purpoſe a commiſſion, ſpecially empowered to aſcertain and determine the compenſations which may be due to any one of the contracting parties. The time and the place ſhall likewiſe be fixed by mutual conſent for the meeting of the commiſſioners who ſhall be entruſted with the execution of this article, and who ſhall take into account, not only the expences incurred on account of the priſoners of the reſpective nations, but likewiſe on account of the foreign troops, who, before being taken, were in the pay, and at the diſpoſal of one of the contracting parties.

ARTICLE III.

His Britannic Majeſty reſtores to the French Republic and its allies, viz. his Catholic Majeſty

jeſty and the Batavian Republic, all the poſſeſſions and colonies which reſpectively belonged to them, and which have been either occupied or conquered by the Britiſh forces during the courſe of the preſent war, with the exception of the Iſland of Trinidad and of the Dutch poſſeſſions in the Iſland of Ceylon.

ARTICLE IV.

His Catholic Majeſty cedes and guarantees in full property and ſovereignty the Iſland of Trinidad to his Britannic Majeſty.

ARTICLE V.

The Batavian Republic cedes and guarantees in full property and ſovereignty to his Britannic Majeſty all the poſſeſſions and eſtabliſhments in the Iſland of Ceylon, which previous to the war belonged to the Republic of the United Provinces, or to the Dutch Eaſt India Company.

ARTICLE VI.

The Port of the Cape of Good Hope remains to the Batavian Republic in full ſovereignty, in the ſame manner as it did previous to the war.

The ſhips of every kind belonging to the other contracting parties ſhall be allowed to enter

enter the ſaid port, and there to purchaſe what proviſions they may ſtand in need of as heretofore, without being liable to pay any other impoſts than ſuch as the Batavian Republic compels the ſhips of its own nation to pay.

ARTICLE VII.

The territories and poſſeſſions of Her Moſt Faithful Majeſty are maintained in their integrity, ſuch as they were antecedent to the war. However, the boundaries of French and Portugueze Guiana, are fixed by the River Arawari, which empties itſelf into the Ocean above Cape North, near the iſlands Nuovo and Penetentia, about a degree and a third of North latitude. Theſe boundaries ſhall run along the River Arawari, from its mouth the moſt diſtant from Cape North to its ſource, and afterwards on a right line, drawn from that ſource, to the Rio-Banto towards the Weſt.

In conſequence, the northern bank of the River Arawari, from its diſtant mouth to its ſource, and the territories that lie to the north of the line of the boundaries laid down as above, ſhall belong in full ſovereignty to the French Republic.

The

The ſouthern bank of the ſaid river, from the ſame mouth, and all the territories to the ſouth of the ſaid line, ſhall belong to Her Moſt Faithful Majeſty.

The navigation of the River Arawari, along the whole of its courſe, ſhall be common to both nations.

The arrangements which have been agreed upon between the Courts of Madrid and Liſbon, reſpecting the ſettlement of their boundaries in Europe, ſhall nevertheleſs be adhered to, conformably to the ſtipulations of the Treaty of Badajoz.

Article VIII.

The territories, poſſeſſions, and rights, of the Sublime Porte, are maintained in their integrity, as they were before the war.

Article IX.

The Republic of the Seven Iſlands is recogniſed.

Article X.

The iſlands of Malta, Goza, and Camino, ſhall be reſtored to the Order of St John of Jeruſalem, to be held on the ſame conditions on which they poſſeſſed them before the war, and under the following ſtipulations: —

1. The Knights of the Order, whoſe languages ſhall continue to ſubſiſt, after the exchange of the Ratification of the preſent Treaty, are invited to return to Malta, as ſoon as the exchange ſhall have taken place. They will there form a general chapter, and proceed to the election of a Grand Maſter, choſen from among the natives of the nation which preſerve their language, unleſs that election has been already made ſince the exchange of the Preliminaries.

It is underſtood that an election made ſubſequent to that epoch ſhall alone be conſidered valid, to the excluſion of any other that may have taken place at any period prior to that epoch.

2. The Governments of the French Republic and of Great Britain, deſiring to place the Order and Iſland of Malta in a ſtate of entire independence with reſpect to them, agree that there ſhall not be in future either a French or Engliſh language; and that no individual belonging to either the one or other of theſe powers ſhall be admitted into the order.*

3. There

* Great Britain has wiſely inſiſted that no native of France ſhall hold an employment, either Civil or Military, in the Iſland of

3. There ſhall be eſtabliſhed a Malteſe language, which ſhall be ſupported by the territorial revenues and commercial duties of the Iſland. This language ſhall have its peculiar dignities, an eſtabliſhment, and an hotel. Proofs of Nobility ſhall not be neceſſary for the admiſſion of Knights of this language; and they ſhall be moreover admiſſible to all offices, and ſhall enjoy all privileges in the ſame manas the Knights of the other languages. At leaſt half of the municipal, adminiſtrative, civil, judicial, and other employments depending on the Government, ſhall be filled by inha-

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of Malta. This proviſo in the Article completely annihilates the preponderance which the French Knights have always maintained in the Order. By the original Conſtitution of the Order of St. John of Jeruſalem, it conſiſted of eight nations, or "langues," (tongues) as they were technically ſtiled, viz. Provençal, Auvergne, France, Arragon, Caſtile, Italian, German, and Engliſh. The latter nation was ſevered from the Order during the reign of Henry the Eighth, when the Reformation and conſequent ſchiſm with the Church of Rome took place. Of the ſeven remaining "langues," or nations, the three firſt were latterly wholly French, and as ſuch, conſtituting but one intereſt; the countries of Auvergne and Provence having merged either by conqueſt or union into that of France. With ſuch a weight in the deliberations of the Order, it was to be expected, that the intereſts and wiſhes of France ſhould meet with a preference on all occaſions. To deſtroy this influence was the obvious policy of our country, and it has been fully effected by the alteration which it has been agreed to introduce into the Conſtitution of the Order.

bitants of the Iſlands of Malta, Goza, and Camino.

4. The forces of his Britannic Majeſty ſhall evacuate the Iſland, and its dependencies, within three months from the exchange of the ratifications, or ſooner if poſſible. At that epoch it ſhall be given up to the Order in its preſent ſtate, provided the Grand Maſter, or Commiſſaries fully authoriſed according to the ſtatutes of the Order, ſhall be in the Iſland to take poſſeſſion, and that the force which is to be provided by his Sicilian Majeſty, as is hereafter ſtipulated, ſhall have arrived there.

5. One half of the garriſon, at leaſt, ſhall be always compoſed of native Malteſe; for the remainder the Order may levy recruits in thoſe countries only which continue to poſſeſs the languages *(poſſeder les langues)*. The Malteſe troops ſhall have Malteſe Officers. The Commander-in-Chief of the garriſon, as well as the nomination of the Officers, ſhall pertain to the Grand Maſter, and this right he cannot reſign even temporarily, except in favour of a Knight, and in concurrence with the advice of the Council of the Order.

6. The independence of the Iſles of Malta, of Goza, and Camino, as well as the preſent arrangement, ſhall be placed under the protection

tection and guarantee of France, Great Britain, Auſtria, Spain, Ruſſia, and Pruſſia.

7. The neutrality of the Order and of the Iſland of Malta, with its dependencies, is proclaimed.

8. The ports of Malta ſhall be open to the commerce and the navigation of all nations, who ſhall there pay equal and moderate duties: theſe duties ſhall be applied to the cultivation of the Malteſe language, as ſpecified in Paragraph III. to that of the Civil and Military Eſtabliſhments of the Iſland, as well as to that of a general Lazaretto, open to all colours.

9. The States of Barbary are excepted from the conditions of the preceding paragraphs, until, by means of an arrangement to be procured by the Contracting Parties, the ſyſtem of hoſtilities which ſubſiſts between the States of Barbary, and the Order of St. John, or the powers poſſeſſing the languages, or concurring in the compoſition of the Order, ſhall have ceaſed.

10. The Order ſhall be governed, both with reſpect to Spirituals and Temporals, by the ſame ſtatutes which were in force, when the Knights left the Iſle, as far as the preſent Treaty ſhall not derogate from them.

11. The

11. The regulations contained in Paragraphs III. V. VII. VIII. and X. ſhall be converted into laws and perpetual ſtatutes of the Order, in the cuſtomary manner; and the Grand Maſter, or (if he ſhall not be in the Iſland at the time of its reſtoration to the Order) his Repreſentative, as well as his ſucceſſors, ſhall be bound to take an oath for their punctual obſervance.

12. His Sicilian Majeſty ſhall be invited to furniſh two thouſand men, natives of his ſtates, to ſerve in garriſon of the different fortreſſes of the ſaid iſlands. That force ſhall remain one year, to bear date from their reſtitution to the Knights; and if, at the expiration of this term, the Order ſhould not have raiſed a force ſufficient, in the judgement of the guaranteeing powers, to garriſon the Iſland and its dependencies, ſuch as is ſpecified in the 5th paragraph, the Neapolitan troops ſhall continue there until they ſhall be replaced by a force deemed ſufficient by the ſaid powers.

13. The different Powers, deſignated by the 6th paragraph, to wit, France, Great Britain, Auſtria, Spain, Ruſſia, and Pruſſia, ſhall be invited to accede to the preſent ſtipulations.

Article XI.

The French troops ſhall evacuate the kingdom of Naples and the Roman States; the Engliſh forces ſhall alſo evacuate Porto Ferrajo, and generally all the ports and iſlands that they occupy in the Mediterranean or the Adriatic.

Article XII.

The evacuations, ceſſions, and reſtitutions, ſtipulated by the preſent Treaty, ſhall be executed in Europe within a month; on the continent and ſeas of America and Africa in three months; on the continent and ſeas of Aſia within ſix months; which ſhall follow the ratification of the preſent Definitive Treaty, except in caſe of a ſpecial reſervation.

Article XIII.

In all caſes of reſtitution agreed upon by the preſent Treaty, the fortifications ſhall be reſtored in the condition they were in at the time of ſigning the Preliminaries; and all the works, which ſhall have been conſtructed ſince their occupation, ſhall remain untouched.

It is agreed beſides, that, in all the ſtipulated caſes of ceſſions, there ſhall be allowed to the inhabitants, of whatever rank or nation they may be, a term of three years, reckoning from the notification of the preſent Treaty, to diſpoſe of all their properties, whether acquired or poſſeſſed by them before, or during the continuance of, the preſent war; during which term of three years they ſhall have free and entire liberty to exerciſe their religion, and to enjoy their fortunes. The ſame privilege is granted, in the countries that are hereby reſtored, to all perſons, whether inhabitants or not, who ſhall have formed any eſtabliſhments there, during the times that theſe countries were in the poſſeſſion of Great Britain.

As to the inhabitants of the countries reſtored or ceded, it is hereby agreed, that no perſon ſhall, under any pretence, be proſecuted, diſturbed or moleſted, either in perſon or property, on account of his political conduct or opinion, or for his attachment to any of the Contracting Parties, on any account whatever, except for debts contracted with individuals, or for acts ſubſequent to the preſent Treaty.

Article XIV.

All the ſequeſtrations laid on either ſide on funds, revenues, and credits, of what nature ſoever they may be, belonging to any of the Contracting Powers, or to their citizens or ſubjects, ſhall be taken off immediately after the ſignature of this Definitive Treaty.

The deciſion of all claims among the individuals of the reſpective nations, for debts, property, effects, or rights, of any nature whatſoever, which ſhould, according to received uſages, and the law of nations, be preferred at the epoch of the peace, ſhall be referred to the competent tribunals: In all thoſe caſes ſpeedy and complete juſtice ſhall be done in the countries wherein thoſe claims ſhall be reſpectively preferred.

Article XV.

The fiſheries on the coaſts of Newfoundland, and of the adjacent iſlands, and in the Gulph of St Lawrence, are placed on the ſame footing as they were before the war.

The French fiſhermen of Newfoundland, and the inhabitants of the iſlands of St Pierre

and Miquelon, ſhall have liberty to cut ſuch wood as may be neceſſary for them in the Bays of Fortune and Deſpair, during the firſt year, reckoning from the ratification of the preſent treaty.

ARTICLE XVI.

To prevent all grounds of complaint and diſputes, which might ariſe on account of captures which may have been made at ſea ſubſequent to the ſigning of the Preliminaries, it is reciprocally agreed, that the ſhips and property, which may have been taken in the Channel, and in the North Seas, after a ſpace of twelve days, reckoning from the exchange of the ratifications of the Preliminary Articles, ſhall be reſtored on the one ſide and the other; that the term ſhall be one month, for the ſpace from the Channel and the North Seas, as far as the Canary Iſlands incluſively, as well in the Ocean as in the Mediterranean; two months from the Canary Iſlands to the Equator; and, finally, five months in all the other parts of the world, without any farther exception, or diſtinction of time or place.

Article XVII.

The Ambaſſadors, Miniſters, and other agents, of the contracting powers, ſhall enjoy reſpectively, in the States of the ſaid powers, the ſame rank, privileges, prerogatives, and immunities, which were enjoyed before the war by agents of the ſame claſs.

Article XVIII.

The branches of the Houſe of Naſſau, which were eſtabliſhed in the ci-devant Republic of the United Provinces, now the Batavian Republic, having experienced ſome loſſes, as well with reſpect to private property as by the change of conſtitution adopted in thoſe countries, an equivalent compenſation ſhall be procured for the loſſes which they ſhall be proved to have ſuſtained.

Article XIX.

The preſent Definitive Treaty of Peace is declared common to the Sublime Ottoman Porte, the ally of his Britannic Majeſty; and the Sublime Porte ſhall be invited to tranſmit its act of acceſſion as ſoon as poſſible.

Article XX.

It is agreed that the contracting parties, upon requiſitions made by them reſpectively, or by their Miniſters, or Officers, duly authoriſed for that purpoſe, ſhall be bound to deliver up to juſtice, perſons accuſed of murder, forgery, or fraudulent bankruptcy, committed within the juriſdiction of the requiring party, provided that this ſhall only be done in caſes in which the evidence of the crime ſhall be ſuch, that the laws of the place, in which the accuſed perſon ſhall be diſcovered, would have authoriſed the detaining and bringing him to trial, had the offence been committed there, The expences of the arreſt and the proſecution ſhall be defrayed by the party making the requiſition; but this Article has no ſort of reference to crimes of murder, forgery, or fraudulent bankruptcy, committed before the concluſion of this Definitive Treaty.

Article XXI.

The Contracting Parties promiſe to obſerve ſincerely and faithfully all the Articles contained in the preſent Treaty, and will not ſuffer

ſuffer any ſort of counteraction, direct or indirect, to be made to it by their citizens, or reſpective ſubjects; and the Contracting Parties guarantee, generally and reciprocally, all the ſtipulations of the preſent Treaty.

Article XXII.

The preſent Treaty to be ratified by the Contracting Parties in thirty days, or ſooner, if poſſible, and the Ratifications ſhall be exchanged, in due form, at Paris.

In teſtimony whereof, we, the underſigned Plenipotentiaries, have ſigned with our hands, and in virtue of our reſpective full powers, the preſent Definitive Treaty, cauſing it to be ſealed with our reſpective ſeals.

Done at Amiens, March 27, 1802, the 4th Germinal, in the year 10 of the French Republic.

(Signed) CORNWALLIS,
BUONAPARTE,
AZARA, and
SCHIMMELPENNINCK.

A true Copy, J. BUONAPARTE.

The following Letter was received by the Right Honourable the Lord Mayor, at the Manſion-Houſe.

Downing-Street, March 29, 1802,
Half paſt 9 o'Clock.

My Lord,

Mr. Moore, Aſſiſtant Secretary to Marquis Cornwallis, is juſt arrived with the Definitive Treaty of Peace, which was ſigned at Amiens, on the 27th of this month, by his Majeſty's Plenipotentiary, and by the Plenipotentiaries of France, Spain, and the Batavian Republic.

I have the Honour,
My Lord,
Your's, &c.
HAWKESBURY.

The Right Honourable
the Lord Mayor.

THE END.

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PEACE.